THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION No.20754 of 2006

Dated: 29th September, 2006

Between :-

Smt.Avula Lakshmamma

..Petitioner

And

Vijayawada Municipal Corporation
Rep. By its Commissioner, Vijayawada
..Respondent

THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION No.20754 of 2006

ORDER:-

Heard the Counsel.

2. The writ petition is filed for a writ of Mandamus declaring that the impugned notice of the respondent Corporation dated 20-4-2006 served on the petitioner on 23-9-2006 bearing EC No.6/06 under Section 452 of HMC Act 1955 as illegal, arbitrary and against to the principles of natural justice and Article 300-A of the Constitution of India and also the provisions of HMC Act 1955 and to pass such other suitable orders.

3. Sri Satyanarayana, the learned Counsel representing the petitioner had taken this Court through the contents of the impugned notice and would contend that reasonable opportunity had not been given.

4. On the contrary, Smt.Jhansi, the learned standing Counsel would submit that without submitting any explanation, the petitioner had approached this Court after sufficient lapse of time and hence no interference is warranted at this stage.

5. This is not inclined to express any opinion relating to the factual controversies which had been raised in the affidavit filed in support of the writ petition. However, in the

facts and circumstances of the case, the writ petitioner is given liberty to submit his explanation to the respondent Corporation within a period of two weeks from today and the respondent Corporation to consider the same in accordance with law and make appropriate orders in relation thereto and till then to maintain status quo. Accordingly, the writ petition is disposed of. No order as to costs.

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Justice P.S.Narayana

29th September, 2006

Note: Order copy by wire at party's costs

(B/o.SMR)